



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

FEB 27 2015

GENERAL NOTICE LETTER -- URGENT LEGAL MATTER

PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 8074

RETURN RECEIPT REQUESTED

CT Corporation System, Registered Agent for Zach System Corporation
1999 Bryan St., Ste. 900
Dallas, Texas 75201-3136

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in
Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.- Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

Site Background

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Carl E. Edlund", followed by the word "Acting" written in a smaller, less legible script.

Carl E. Edlund, P.E.
Director
Superfund Division

Enclosures (4)

ENCLOSURE 1
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

PARTICIPATION

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov.

In addition, the EPA Small Business Ombudsman may be contacted at www.epa.gov/sbo. Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below *within 60 calendar days after you receive this letter* to indicate your willingness to enter in good faith as a Settling Party. **If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter should be directed to:

Mr. Robert Werner
Enforcement Officer (6SF-TE)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-6724, Fax: 214-665-6660
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas
Assistant Regional Counsel (6RC-S)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-8063, Fax: 214-665-6460
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

ENCLOSURE 2
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

EVIDENTIARY DOCUMENTATION

SAMPLES OF EVIDENCE

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.

#419

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved, OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number D5R000079062	2. Page 1 of 1	3. Emergency Response Phone (281) 471-0943	4. Manifest Tracking Number 004253079 JJK					
5. Generator's Name and Mailing Address Zachry Corp. (L.P.) 914 South 16th Street La Porte, TX 77571 Generator's Phone: (281) 471-0943			Generator's Site Address (if different than mailing address) Zachry Corp. (L.P.) 914 South 16th Street La Porte, TX 77571 (281) 471-0943							
6. Transporter 1 Company Name CIS Environmental Services, Inc.			State ID 38500		U.S. EPA ID Number TXD006830461					
7. Transporter 2 Company Name					U.S. EPA ID Number					
8. Designated Facility Name and Site Address P.O. Box 59 400 Forest St., P.O. Box 59 Austin, TX 78763 Facility's Phone: (512) 677-2724			State ID 50024		U.S. EPA ID Number TXD046844700					
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes			
			No. Type							
	1. 100, Waste Flammable liquids, n.o.s. (MTBE, Methanol) 3, UN1993, PG II		1 77		37,200	lb	010, 114, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			
	2.									
	3.									
4.						2, 0, 1, 4				
14. Special Handling Instructions and Additional Information P.O. Box 59, 400 Forest St., P.O. Box 59, Austin, TX 78763 P.O. Box 59, 400 Forest St., P.O. Box 59, Austin, TX 78763 1) AL25107 2) 3)										
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.										
Generator's/Officer's Printed/Typed Name John Parker			Signature John Parker		Month Day Year 10/16/08					
16. International Shipments Transporter signature (for exports only): <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.: 495										
17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name WILFRIDO ABREU Signature WILFRIDO ABREU Month Day Year 10/16/08 Transporter 2 Printed/Typed Name Signature Month Day Year										
18. Discrepancy 18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Manifest Reference Number: 18b. Alternate Facility (or Generator) U.S. EPA ID Number Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month Day Year										
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. 2. 3. 4.										
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name Signature Month Day Year										

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXR000079062	2. Page 1 of 1	3. Emergency Response Phone (281) 471-0943	4. Manifest Tracking Number 004252874 JJK	
5. Generator's Name and Mailing Address Zach System Corp. (Le Porte) 914 South 36th Street Le Porte, TX 75571			Generator's Site Address (if different than mailing address) Zach System Corp. (Le Porte) 914 South 36th Street Le Porte, TX 75571			
Generator's Phone: (281) 471-0943			State ID: TX U.S. EPA ID Number: TXD000934401			
6. Transporter 1 Company Name CEC Environmental Services, Inc.			State ID: TX		U.S. EPA ID Number	
7. Transporter 2 Company Name					U.S. EPA ID Number	
8. Designated Facility Name and Site Address PSC-CRS Austin 405 Powell St. P.O. Box 69 Austin TX, 78763			State ID: SD		U.S. EPA ID Number	
Facility's Phone: (972) 507-3274			TXR000079062			
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.
			No.	Type		
	X	1.0. Waste flammable liquids, n.o.s. (Tetrahydrofuran) 2, UN1993, PG I	1	TT	38,148	B
	2.					
	3.					
	4.					
13. Waste Codes 0107, 2311, 1001, 1014, 1031						
14. Special Handling Instructions and Additional Information Packer ID: Zach System (Zach)-LePorte, TX PSC-CRS Austin Texas Only 1) 4190107 2) 4190107						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Officer's Printed/Typed Name John Parker		Signature John Parker		Date 10/13/08		
INT'L	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: 541			
	Transporter signature (for exports only):		Date leaving U.S.:			
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials					
	Transporter 1 Printed/Typed Name Kolman, Azeilto		Signature Kolman, Azeilto		Date 10/13/08	
	Transporter 2 Printed/Typed Name		Signature		Date	
DESIGNATED FACILITY	18. Discrepancy					
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
	Manifest Reference Number:					
	18b. Alternate Facility (or Generator) U.S. EPA ID Number					
	Facility's Phone:					
	18c. Signature of Alternate Facility (or Generator)					Date Month Day Year
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1.		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name John Parker		Signature John Parker		Date 10/13/08		

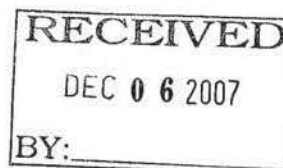
UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number		
		TXR0000079062	1	(281) 471-0943	004248844 JJK		
5. Generator's Name and Mailing Address Zach System Corp. d.b.a. Porech 914 South 18th Street La Porte, TX 77571			Generator's Site Address (if different than mailing address) Zach System Corp. d.b.a. Porech 914 South 18th Street La Porte, TX 77571				
Generator's Phone: (281) 471-0943			State ID: 48000				
6. Transporter 1 Company Name CES Environmental Services, Inc.			U.S. EPA ID Number TXD046844 JJK				
7. Transporter 2 Company Name			U.S. EPA ID Number				
8. Designated Facility Name and Site Address PSC-CRIS Aviation 403 Rowland St., P.O. Box 69 Arlington, TX 76010			U.S. EPA ID Number TXD046844 JJK				
Facility's Phone: (817) 627-3224							
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers No. Type		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes
X	1. Waste (flammable liquids, n.o.s. (Tetrahydrofuran, heptane), 3, UN1993, PG II		1		45000	lbs	0107103M, 0001, F003, U211
	2. T/T 1305						
	3.						
	4.						
14. Special Handling Instructions and Additional Information Folter ID: Zach System (Zach - La Porte, TX) PSC/CRS Aviation Trans Only							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Offoror's Printed/Typed Name: V. Davis RAD Signature: [Signature] Month: 1 Day: 27 Year: 97							
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:							
17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name: [Signature] Signature: [Signature] Month: 1 Day: 27 Year: 97 Transporter 2 Printed/Typed Name: Signature: Month: Day: Year:							
18. Discrepancy 18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Manifest Reference Number:							
18b. Alternate Facility (or Generator) U.S. EPA ID Number Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month: Day: Year:							
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. 2. 3. 4.							
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name: [Signature] Signature: [Signature] Month: 1 Day: 27 Year: 97							

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXR000079062		2. Page 1 of 1		3. Emergency Response Phone (281) 471-0943		4. Manifest Tracking Number 004252017 JJK					
		5. Generator's Name and Mailing Address Zach System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 Generator's Phone: (281) 471-0943				Generator's Site Address (if different than mailing address) Zach System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 Generator's Phone: (281) 471-0943							
GENERATOR		6. Transporter 1 Company Name Environmental Services, Inc.				State ID 34X00		U.S. EPA ID Number TXL008950461					
		7. Transporter 2 Company Name						U.S. EPA ID Number					
DESIGNATED FACILITY		8. Designated Facility Name and Site Address 405 Powell St. P.O. Box 89 Avalon TX, 76522 Facility's Phone: (972) 627-3224				State ID 50084		U.S. EPA ID Number TXD046844700					
TRANSPORTER		9a. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any)) 1. Waste flammable liquids, n.o.s. (toluene, benzene), 2. UN1993, PG II				10. Containers		11. Total Quantity		12. Unit Wt./Vol.		13. Waste Codes	
						No. Type							
				1		TT		36,500		P		0101/001, 0001/001, 0005	
INT'L		14. Special Handling Instructions and Additional Information Folder ID: Zach System (each - La Porte, TX) PSCORS Avalon Trans Unit 11a) AL98107 11b) 11c) 11d)											
TRANSPORTER		15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.											
		Generator's/Offoror's Printed/Typed Name John Porke											
TRANSPORTER		Signature John Porke											
		Month Day Year 7 30 08											
TRANSPORTER		16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.: 516											
		Transporter signature (for exports only):											
TRANSPORTER		17. Transporter Acknowledgment of Receipt of Materials											
		Transporter 1 Printed/Typed Name Reggie Mota											
TRANSPORTER		Signature Reggie Mota											
		Month Day Year 09 25 08											
TRANSPORTER		Signature Reggie Mota											
		Month Day Year 09 25 08											
DESIGNATED FACILITY		18. Discrepancy											
		18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection											
DESIGNATED FACILITY		Manifest Reference Number: 7											
		18b. Alternate Facility (or Generator) U.S. EPA ID Number											
DESIGNATED FACILITY		Facility's Phone:											
		18c. Signature of Alternate Facility (or Generator)											
DESIGNATED FACILITY		Month Day Year											
DESIGNATED FACILITY		19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)											
		1. 2. 3. 4.											
DESIGNATED FACILITY		20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a											
		Printed/Typed Name Signature Month Day Year Moss Moss 7 30 08											

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXR000079062	2. Page 1 of 1	3. Emergency Response Phone (281) 471-0943	4. Manifest Tracking Number 004255113 JJK	
5. Generator's Name and Mailing Address 2nd System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 Generator's Phone: (281) 471-0943			Generator's Site Address (If different than mailing address) 2nd System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 (281) 471-0943			
6. Transporter 1 Company Name ES Environmental Services, Inc.			State ID TX000		U.S. EPA ID Number TXD00895461	
7. Transporter 2 Company Name					U.S. EPA ID Number	
8. Designated Facility Name and Site Address ES-CRS Division 45 Powell St., P.O. Box 69 Houston TX, 78625 Facility's Phone: (972) 627-3224			State ID TX000		U.S. EPA ID Number TXD008944706	
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers No. Type	11. Total Quantity	12. Unit Wt./Vol.
		1. R11: Waste Flammable liquids, n.o.s. (toluene, heptane), 3-UN1993		1 11	36.477	P
		2.				
		3.				
		4.				
14. Special Handling Instructions and Additional Information Procter ID: 281 System (2nd - La Porte, TX) PSC/CRS Division Trans Only						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offor's Printed/Typed Name John Parker				Signature [Signature]	Month 12	Day 14
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials					
	Transporter 1 Printed/Typed Name David Vandenberg				Signature [Signature]	Month 8
DESIGNATED FACILITY	Transporter 2 Printed/Typed Name				Signature	Month 8
	18. Discrepancy					
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
	18b. Alternate Facility (or Generator) Manifest Reference Number: _____ U.S. EPA ID Number _____					
	18c. Signature of Alternate Facility (or Generator) _____ Month _____ Day _____ Year _____					
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. ✓		2. ✓		3. ✓		4. ✓
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name Chris Gaydon				Signature [Signature]	Month 5	Day 14



ZaCh System S.p.A.
Zambon Advanced Fine Chemicals



Matt Bowman
CES Environmental Services, Inc.
President
4904 Griggs Road
Houston TX
77021USA

La Porte, December 1st, 2007

Dear Customer,

As you are probably aware, ZaCh System S.p.A., the fine chemicals subsidiary of Zambon Company S.p.A., Milan, Italy entered into an agreement to purchase the fine chemicals business unit of PPG Industries, Inc. On behalf of ZaCh System, we are now pleased to announce that the transaction has been successfully completed and the combined new business will be known collectively as ZaCh System. This acquisition is the first step in implementing ZaCh's global expansion strategy in the fine chemicals industry.

We are excited at the new opportunities and synergies presented through the ZaCh System acquisition and eagerly anticipate new challenges. The technical synergy of the combined three R&D teams greatly increases our technical expertise and chemical inventiveness. The acquisition adds to ZaCh's technical toolbox such useful and unique technologies as phosgene chemistry, ozonolysis, world class reduction capability, and azide chemistry. In addition, the former PPG group's strength in chiral chemistry, ranging from biocatalytic transformations to asymmetric synthesis, truly complements ZaCh's base chiral expertise. Coupled with ZaCh's strengths in mercaptan chemistry, oxidation reactions, free radicals and organometallic chemistry, our new company is now far better positioned to meet your needs. From a production perspective, the acquisition of PPG Fine Chemicals now enhances production capacity by adding cGMP manufacturing facilities in Avrillé, France and La Porte, Texas to complement ZaCh's original cGMP production facility in Lonigo, Italy.

Most importantly, the new ZaCh System is committed to ensure that our integration of the PPG Fine Chemicals operation remains as transparent as possible to our valued customers.

The new organization is effective as of today, and all the business activities related to our US operations, including agreements and contracts if any in force with you, will be in charge and fully managed only by:

ZaCh System Corporation, headquarter and manufacturing facilities at

914 S. 16th Street
La Porte, Texas 77571
USA

Tax ID: 22-2912886



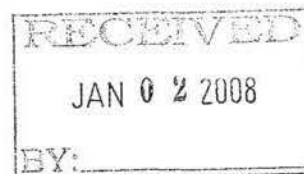
PPG Fine Chemicals

PPG Industries, Inc.
PO Box 995
La Porte, TX 77572
Telephone (281) 471-0943

ZaCh System Corporation

914 S. 16th Street
Laporte, Tx. 77571
Phone : (281) 842-0200

CES ENVIRONMENTAL SVCS INC.
4904 GRIGGS ROAD
HOUSTON, TX. 77021



Ladies and Gentlemen:

We are writing to inform you that ZaCh System S.p.A. finalized the acquisition of PPG's pharmaceutical fine chemicals business on November 30, 2007. The acquisition included the pharmaceutical fine chemicals portion of PPG's plant in La Porte, Texas and the PPG-Sipsy S.A. subsidiary in France ("Fine Chemicals Business"). The Fine Chemicals Business, including a portion of the La Porte facility, will henceforth be operated by ZaCh System Corporation, a Delaware corporation and member of the Zambon group of companies, a multinational private Group based in Milan, Italy. The acquisition did not include PPG's specialty phosgene derivatives business located at the La Porte, Texas facility ("Phosgene Business"), which will continue to be operated by PPG at La Porte.

Certain existing contracts, purchase orders and accounts between PPG and your organization previously served both the Fine Chemicals Business and the Phosgene Business at the La Porte facility: beginning December 1, 2007, these contracts, purchase orders and accounts will only serve PPG for its retained Phosgene Business and for PPG providing certain support services to ZaCh System Corporation for the Fine Chemicals Business. Therefore, as of December 1st 2007, ZaCh System Corporation will agree with each supplier its own purchasing conditions. The use of PPG's existing conditions by ZaCh System Corporation has to be authorized by a PPG employee.

Beginning on December 1, 2007, all orders placed with your organization for the Fine Chemicals Business will be for the account of ZaCh System Corporation, and therefore ZaCh System Corporation will be responsible for satisfying all payables, issuing all future orders, and paying all invoices directly to you that arise after December 1, 2007 and relate exclusively to the Fine Chemicals Business. To establish an account for ZaCh System Corporation or to obtain additional information, please contact Paula Diehl at 281-842-0204 or Pascal Gauthier at (281) 842-0218.

To this end, we kindly ask you to include ZaCh System Corporation in your client list going forward.



ZaCh System Corporation
914 S. 16th Street
La Porte, TX. 77571
December 28, 2007

CES ENVIRONMENTAL SVCS INC.
4904 GRIGGS ROAD
HOUSTON, TX. 77021

Ladies and Gentlemen:

We are writing to inform you that ZaCh System S.p.A. finalized the acquisition of PPG's pharmaceutical fine chemicals business on November 30, 2007. The acquisition included the pharmaceutical fine chemicals portion of PPG's plant in La Porte, Texas and PPG-Sipsy, France. The pharmaceutical fine chemicals portion of the La Porte facility will henceforth be operated by ZaCh System Corporation, a Delaware corporation and member of the Zambon group of companies. The acquisition did not include PPG's specialty phosgene derivatives business located at the La Porte, Texas facility, which will continue to be operated by PPG at La Porte.

ZaCh System S.p.A. is part of Zambon Company S.p.A., a multinational private Group based in Milan, Italy.

Accordingly, ZaCh System Corporation will endeavor to take the place of PPG Fine Chemicals in all ongoing business activities and will be responsible for satisfying all open payables, issuing all future orders, and paying all invoices directly to you, including any invoices previously issued to PPG that may be outstanding as of the date hereof. To this end, we kindly ask you to include ZaCh System Corporation in your client list going forward.

We look forward to working with you in the future. If you have any questions or concerns, please do not hesitate to contact Paula Diehl at 281-842-0204 or Pascal Gauthier at 281-842-0218.

Best regards,
ZaCh Systems Corporation

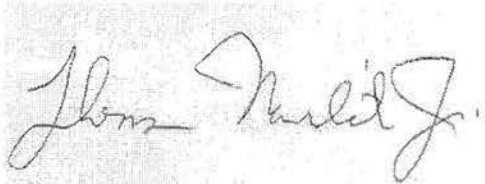
A handwritten signature in dark ink, appearing to read 'Jean François Marcopoulos', written over a light gray rectangular background.

Name: Jean François Marcopoulos
Title: President

We look forward to working with you in the future. If you have any questions or concerns, please do not hesitate to contact your existing contact at PPG or ZaCh System Corporation.

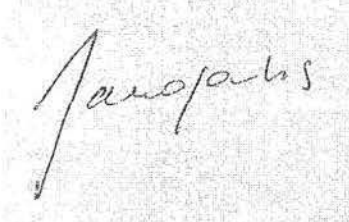
Best regards,

PPG Industries Inc.

A handwritten signature in cursive script, appearing to read "Thomas Narbit, Jr.", written in dark ink on a light background.

Name Thomas Narbit, Jr.
Title: Plant Manager, PPG La Porte Plant

ZaCh Systems Corporation

A handwritten signature in cursive script, appearing to read "Jean François Marcopoulos", written in dark ink on a light background.

Name: Jean François Marcopoulos
Title: President

ENCLOSURE 3
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED

The Lubrizol Corporation
Advanced Aromatics, L.P
AMTEX Machine Products, Inc.
Andergauge Drilling Systems
Arkema Inc.
Ball Corporation
Canrig Drilling Technology Ltd.
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.
Champion Technologies (Merged into Nalco Company)
Citgo Petroleum Corporation (Citgo Refinery)
Cross Oil & Refining & Marketing, Inc..
Dover Corporation - Cook Compression (C Lee Cook)
Evalca Company of America
KMCO, Inc. (new name is Ramsey Properties, L.P.)
PGI International, LTD (merged into Parker-Hannifin Corporation)
Philip Reclamation Services Houston, LLC
Plaquemine Point Shipyard, Sunshine, LA
PPG Industries, Inc.
Praxair, Inc.
Proler Southwest
Quest Chemical Corporation
RasGas in Qatar @ KMTEX
Sierra Chemical Corporation
Skyhawk Chemicals, Inc.
Smithfield BioEnergy, LLC
Sun Coast Resources, Inc.
T. T. Barge Mile (Barge Mile 183, 237)
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])
T.T. Barge (Mile 237)
T3 Energy Services-Cypress
Taber Extrusions
Targa Midstream Services LP
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube
Texas Oil Tools, NOV (Conroe)

Texas Water Management

Total Petrochemicals, Inc. - Port Arthur

Transmontaing Product Service

Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)

ZaCh System Corporation (Ampac)

ENCLOSURE 4
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

SMALL BUSINESS RESOURCES FACT SHEET



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwborc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators

(www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance

Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers.
(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.

(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline

(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

(www.epa.gov/owow/wetlands/welline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage

(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.